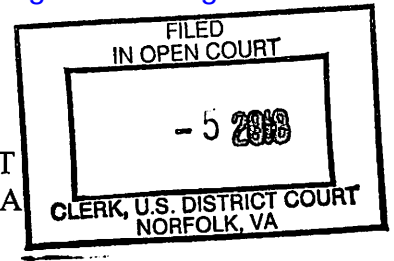


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division



UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:18cr 58
	)	
	)	18 U.S.C. §§ 2251(a) and 2
v.	)	Production of Child Pornography
	)	(Counts 1-8)
	)	
JAMES WILLIAM THOMAS, III,	)	18 U.S.C. § 2252A(a)(5)(B)
	)	Possession of Child Pornography
	)	(Count 9-11)
<i>Defendant.</i>	)	
	)	18 U.S.C. § 2253
	)	Criminal Forfeiture

INDICTMENT

April 2018 TERM - At Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about June 30, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced the video "100\_0510.MOV," that depicted himself performing oral sex on R.G., a minor under the age of eighteen, and produced the video with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A) and 2.)

COUNT TWO

On or about June 22, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced the video "Clip0030.avi," that depicted R.G., a minor under the age of eighteen, nude and masturbating, and produced the video with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT THREE

On or about June 30, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced "100\_0509.jpg," a still image file depicting R.G., a minor under the age of eighteen, naked on her hand and knees and exposing her anus and vagina, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT FOUR

On or about July 24, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced "100\_0529.jpg," a still image file depicting THOMAS's penis in close proximity to the anus of R.G., a minor under the age of eighteen, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT FIVE

On or about August 8, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced "100\_0544.jpg," a still image file depicting a close-up of the vagina of R.G., a minor under the age of eighteen, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT SIX

On or about July 3, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced “0703100026.jpg,” a still image file depicting S.W. a minor under the age of eighteen, naked and exposing her breasts and vagina, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT SEVEN

On or about April 6, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced “040500952117[00].jpg,” a still image file depicting S.W. a minor under the age of eighteen, naked and exposing her vagina and anus, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT EIGHT

On or about April 6, 2010, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly employ, use, persuade, induce, entice, and coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, said visual depiction having been produced and transmitted using materials that have been mailed, shipped, and transported in interstate and foreign commerce by any means, that is, THOMAS produced and caused to be produced "040500952230[00].jpg," a still image file depicting S.W. a minor under the age of eighteen, naked with her legs spread and her finger inserted in her vagina, and produced the image with and transmitted it to an Iomega external USB hard drive, that was manufactured outside of the Commonwealth of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a), 2256(1), 2256(2), 2256(8)(A), and 2.)

COUNT NINE

On or about April 28, 2014, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly possess material, that is, an Iomega external USB hard drive that contained one or more images and videos of child pornography, which images and videos had been transported in interstate commerce by any means, including by computer, and which images and videos had been produced using materials that had been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 2252A(a)(5)(B), 2256(1), 2256(2), and 2256(8)(A).)

COUNT TEN

On or about April 28, 2014, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly possess material, that is, an HP desktop computer with Hitachi 1 TB hard drive that contained one or more images and videos of child pornography, which images and videos had been transported in interstate commerce by any means, including by computer, and which images and videos had been produced using materials that had been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 2252A(a)(5)(B), 2256(1), 2256(2), and 2256(8)(A).)

COUNT ELEVEN

On or about April 28, 2014, in the Eastern District of Virginia, the defendant JAMES WILLIAM THOMAS, III, did unlawfully and knowingly possess material, that is, a Transcend USB thumb drive that contained one or more images and videos of child pornography, which images and videos had been transported in interstate commerce by any means, including by computer, and which images and videos had been produced using materials that had been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 2252A(a)(5)(B), 2256(1), 2256(2), and 2256(8)(A).)

CRIMINAL FORFEITURE

A. Upon conviction for violating any count of the criminal indictment, JAMES WILLIAM THOMAS, III shall forfeit to the United States:

1. Any and all matter which contains child pornography produced, transported, shipped, received, or possessed in violation of Title 18, United States Code, Section 2251 *et seq.*;
2. Any and all property used or intended to be used in any manner or part to commit and to promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*; and
3. Any and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the commission of violations of Title 18, United States Code, Section 2251 *et seq.*

B. The property subject to forfeiture under Paragraph A includes, but is not limited to, the following:

1. an Iomega external USB hard drive;
2. an HP desktop computer with Hitachi 1 TB hard drive; and
3. a Transcend USB thumb drive.

(In violation of Title 18, United States Code, Section 2253.)

Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office

United States v. James William Thomas, III.  
Criminal No. 2:18cr

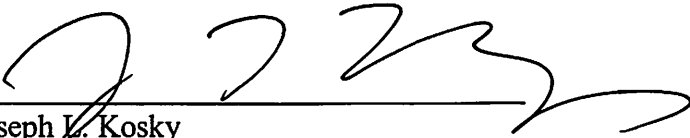
A TRUE BILL:

---

FOREPERSON

TRACY DOHERTY-MCCORMICK  
ACTING UNITED STATES ATTORNEY

By:



---

Joseph L. Kosky  
Assistant U.S. Attorney  
Attorney for the United States  
United States Attorney's Office  
101 West Main Street, Suite 8000  
Norfolk, Virginia 23510  
Office Number (757) 441-6331  
Facsimile Number (757) 441-6689  
E-Mail Address - [joseph.kosky@usdoj.gov](mailto:joseph.kosky@usdoj.gov)



FORM OBD-34

No.: 2:18cr

---

---

**UNITED STATES DISTRICT COURT**

Eastern District of Virginia

Norfolk Division

---

---

**THE UNITED STATES OF AMERICA**

v.

**JAMES WILLIAM THOMAS, III**

---

---

**INDICTMENT**

18 U.S.C. §§ 2251(a) and 2 – Production of Child Pornography (Count 1-8)  
18 U.S.C. §§ 2252A(a)(4)(B) and 2 - Possession of Child Pornography (Count 9-11)  
18 U.S.C. § 2253 - Criminal Forfeiture

---

---

A true bill.

---

Foreman

---

---

Filed in open court this \_\_\_\_\_ day,  
of April A.D. 2018

---

Clerk

---

Bail, \$

Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office